

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

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In the Matter of)
)
Extending Wireless) WT Docket No. 99-266
Telecommunications Services)
To Tribal Lands)

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

COMMENTS OF AMSC SUBSIDIARY CORPORATION

AMSC Subsidiary Corporation ("AMSC")^{1/} hereby submits its comments on the Commission's Notice of Proposed Rulemaking ("NPRM") in the above-referenced proceeding concerning the extension of wireless services to tribal lands.

AMSC commends the Commission for its efforts to address the urgent need for telecommunications services on Native American tribal lands. AMSC agrees with the Commission that it is critical that such important services be available in these Indian reservation areas, and AMSC believes that it and other satellite carriers can make an important contribution in these regions, which are largely underserved, rural, and economically

^{1/} AMSC was authorized in 1989 to construct, launch, and operate the first dedicated U.S. Mobile Satellite System ("MSS"), as the culmination of a licensing process that began with the filing of applications in 1985. *Memorandum Opinion, Order and Authorization*, 4 FCC Rcd 6041 (1989) (AMSC Authorization Order"); Final Decision on Remand, 7 FCC Rcd 266 (1992); *aff'd sub nom. Aeronautical Radio, Inc. v. FCC*, 983 F.2d 275 (D.C. Cir. 1993). The first AMSC satellite was launched in 1995, and AMSC's SKYCELL Satellite Telephone Service began early in 1996. AMSC's satellite communications system covers the entire continental United States, including Alaska, Hawaii, Puerto Rico, and the U.S. Virgin Islands. AMSC's system provides voice and data communications services to people who live, work, or travel in rural and remote areas of the U.S. unserved by terrestrial technologies. AMSC's MSS system provides seamless coverage throughout these areas, without any natural service area borders or divisions.

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isolated.^{2/} Satellite systems can uniquely provide seamless coverage in such areas, including those situated in geographically extreme terrain,^{3/} with minimal need for deployment or buildout of costly facilities and infrastructure.^{4/}

In the NPRM, the Commission seeks comment on a variety of issues regarding the potential of terrestrial wireless and satellite technologies to provide service to Native American tribal lands. In particular, the Commission asks if there are changes to the Commission's technical, licensing, and allocation rules that could provide carriers with greater incentive to use their technologies to extend service to these areas. AMSC appreciates the Commission's focus on the role of its regulatory framework, and it believes that certain modifications of these rules might encourage the provision of wireless and satellite services on Indian reservation lands. AMSC does not believe, however, that any changes to the Commission's technical and operational rules are currently necessary to facilitate AMSC's provision of telecommunications services in tribal land areas.^{5/} As noted by the Commission in its NPRM, AMSC is already

^{2/} See Establishment of Policies and Service Rules for the Mobile Satellite Service in the 2 GHz Band, IB Docket No. 99-81, Notice of Proposed Rulemaking, para. 95 (rel. March 25, 1999).

^{3/} AMSC's system covers all 50 states, including the tribal lands located in rural and remote regions.

^{4/} In allocating spectrum for AMSC's system, the Commission found that the use of satellite technology offered a unique capability to meet the needs of rural and remote areas for emergency and public safety communications. Notice of Proposed Rulemaking, Establishing Rules and Policies for the Use of Spectrum for Mobile Satellite Service in the Upper and Lower L-band, IB Docket No. 96-132, 11 FCC Rcd 11675, at paras. 21-23 (1996).

^{5/} As a fundamental matter, AMSC does believe that the Commission must act to ensure that its satellite licensees have access to an amount of spectrum sufficient to permit the provision of service to tribal areas, which clearly have substantial telecommunications needs.

working with Native Americans to provide critical emergency telecommunications services to their communities. AMSC is providing dispatch service to police forces within the Navajo Nation, and it has installed public satellite pay phones in isolated communities in Arizona, allowing business owners, residents, and tourists to communicate with urban centers.

AMSC is now anxious to expand its services to tribal areas and is in a position to offer immediately critical emergency communications services to Native Americans throughout the United States, without regard to terrain and without the need to deploy costly infrastructure or incur any marginal cost other than the installation of terminals.^{6/} The primary obstacle to AMSC's provision of MSS in these areas is the inability of Native American residents to afford AMSC's equipment and services. AMSC intends to seek Universal Service Funding ("USF") support for the emergency services it hopes to provide in these areas, but AMSC believes that certain modifications and clarifications of the Commission's existing USF rules must be made to facilitate such support. AMSC recognizes that these regulatory issues are currently being addressed in a separate rulemaking regarding the use of the Universal Service Fund to promote deployment and subscribership in unserved and underserved areas, including tribal and insular areas,^{7/} and AMSC intends to present its full position on these issues during the comment cycle in that proceeding.

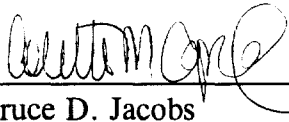
^{6/} AMSC seeks to work with Native American tribes, rural public safety organizations, and the Rural Health Care Division of the Universal Service Administrative Company to deliver a satellite-based emergency communications service that is available immediately.

^{7/} *In the Matter of Federal-State Joint Board on Universal Service: Promoting Deployment and Subscribership in Unserved and Underserved Areas, Including Tribal and Insular Areas, Further Notice of Proposed Rule Making*, released September 3, 1999.

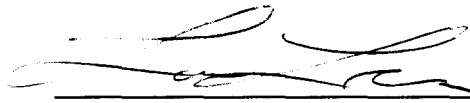
Again, AMSC supports the Commission's effort to find a solution to the shortage of critical telecommunications services in Native American tribal lands, and it is eager to work further with tribal land representatives and the Commission to bring its satellite services to these underserved areas.

Respectfully submitted,

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